

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Willie Johnson,)	C.A. No. 6:09-1375-TLW-WMC
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Warden Levern Cohen, et al.,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff filed this action pursuant to Title 42, United States Code, Section 1983 in June, 2009. (Doc. # 1). This matter is now before the undersigned for review of the November 12, 2009 Report and Recommendation and the December 14, 2009 Report and Recommendation (“the Reports”) filed by United States Magistrate Judge William M. Catoe, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). (Docs. # 35 & # 43). In his initial November 12, 2009 Report, Magistrate Judge Catoe recommends that plaintiff’s motion for a temporary restraining order be denied. No objections to the Report have been filed. Subsequently, on December 11, 2009, plaintiff filed a motion to dismiss his case as to all defendants. A second Report was issued on December 14, 2009 recommending that plaintiff’s motion to dismiss be granted, and that this action be dismissed without prejudice. No objections were filed to this report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections

have been filed to the Reports. In the absence of objections to either the first or second Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that both Reports accurately summarize this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Reports are **ACCEPTED** (Docs. # 35 and # 43), plaintiff's motion for a temporary restraining order is **DENIED**; plaintiff's motion to dismiss is **GRANTED**, and this action is **DISMISSED** without prejudice.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

January 8, 2010
Florence, South Carolina